

SUMMARY OF PROPOSED 2011 KING COUNTY CODE AMENDMENTS					
Sec.	Pg.	K.C.C.	Subject	Proposed Change	Comment
BUILDING CODE					
1 2 4 5 6	1 1 5 5 6	16.02.110 16.02.130 16.12.010 16.14.010 16.32.030	Adoption of 2009 building code	Update references to 2009 International Building Code	Under state law, 2009 IBC went into effect July 1, 2010.
3	3	16.02.240	Building code exemptions	<ul style="list-style-type: none">• Correct Title 25 cross reference• Add exemption for agricultural accessory buildings less than 200 sq. ft. from requirement to obtain building permit	<ul style="list-style-type: none">• Current exemption only applies to residential accessory buildings
CLEARING AND GRADING					
7	6	16.82.051	Clearing Permits	Clarify distinction between emergency tree removal and hazard tree removal. Hazard tree removal requires a permit in CA. Emergency tree removal does not require a permit.	Responds to appeal to Hearing Examiner. Current code is unclear about permit requirements for hazard tree removal.
LOT RECOGNITION					
9	17	19A.04.210	Lot definition	Limited to lots created under state or local laws	Responds to Court of Appeals decision holding that code requires recognition of substandard lots established under federal law prior to statehood. Allows lots to be created without following the subdivision process.
11	18	19A.08.070	Legal lot	Clarify large lot segregation provisions. Must have been segregated after 1937, not subsequently merged into a larger lot, and recognized by DDES prior to 2000.	
ALTERATIONS AND REVISIONS					
8	17	19A.04.020	Alterations definition	Minor wording change to use consistent terminology.	<ul style="list-style-type: none">• The terms "alterations" and "revisions" are used in Titles 19A, 20, and 21A with different or inconsistent meanings at times.• The amendments apply a consistent meaning to the terms. Alterations are changes to an approved application. Revisions are changes to an application that has not received final approval.• The amendments provide consistent standards for when a revision results in a substantial change to the proposal that requires filing of a new application and when an alteration requires a .
10	18	19A.04.270	Revisions definition	Clarify that revisions apply to subdivisions and short subdivisions prior to final approval or recording.	
13	24	19A.12.030	Subdivision revisions	Revisions of preliminary plats or short plats or of binding site plans that would result in a substantial change requires filing of a new permit. The standards for a substantial change are clarified and include a change in use, change in access points, or a change to conditions of approval that result in environmental impacts not addressed in the original approval.	
15	26	19A.12.060	Short subdivision revisions	Repeal and combine with subdivision revision section.	
18	35	20.20.080	Application revisions	<ul style="list-style-type: none">• Modifications to an application that would result in a substantial change to the applications review requirements require filing of a new application• Substantial change includes locating closer to property line, increasing square footage, or other changes with impacts not addressed in original proposal.	
60	162	21A.41.110	Modifications to commercial site development plan	Minor wording changes to improve clarity.	
62	165	21A.42.180	Planned unit development modifications	Cross-references are corrected and other minor wording changes to improve readability.	

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63	165	21A.42.190	Expansion of conditional, special, or unclassified use	For purposes of determining whether an existing permit can be approved through code compliance process, changes to conditions of approval are considered a substantial change only if they would cause significant natural or built environment impacts	
PRELIMINARY SUBDIVISION APPROVAL PERIOD					
12	21	19A.12.020	Subdivision validity	Preliminary subdivision approval is valid for 7 years. Reverts to 5 years at the end of 2014.	Implements RCW 58.17 changes adopted in 2010 legislature allowing additional time for recording of subdivisions and short subdivisions
14	25	19A.12.040	Short subdivision validity	Preliminary short subdivision approval is valid for 7 years. Reverts to 5 years at the end of 2014.	
BLA / ROAD STANDARDS					
16	27	19A.28.020	Boundary line adjustments	Review of BLA includes consistency with King County Road Standards	BLAs must comply with several county codes, but are not explicitly required to comply with road standards
NOTICE					
17	28	20.20.060	Notice of application	Allow DDES to provide a notice of application by any additional means necessary to provide notice to affected parties	
MULTIPLE LOTS					
19	36	New Section. Ch. 21A.04	Multiple Lots	DDES may require applicant to record a covenant if relying on multiple lots as a site to comply with code requirements	The zoning code allows adjacent lots owned by an applicant to be treated as a site for compliance with the zoning code. This provision will ensure that the lots remain in common ownership if necessary for compliance with the zoning code.
DEFINITIONS					
23	37	21A.46.450	Family	Individuals related by domestic partnership are considered a family regardless of the number of individuals.	Request from Office of Civil Rights
26	39	New Section Ch. 21A.06	Passive recreation storage	Storage of equipment related to passive recreation, such as boating, camping, and hiking equipment. Does not include motorized equipment.	Related to new permitted use added to 21A.08.040
30	40	21A.06.1263	Subdivision or residential subdivision	Change order of words to clarify intent that definition applies to subdivisions and residential subdivision s.	
31	40	21A.06.1270	Substantial improvement	Flood mitigation projects are not considered to be substantial improvements	Eliminates potential catch 22 in which projects to mitigate flood hazards, such as raising a residential structure, would result in imposing more stringent standards and as a result discouraging those projects.

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PERMITTED USES					
32	41	21A.08.030	<ul style="list-style-type: none"> Residential 	<ul style="list-style-type: none"> Clarify when CUP is required for apartments Add cross reference to home occupation standards Clarify ADU provisions concerning size limits and location of entrances Allow bed and breakfast guesthouse to serve any meals to its paying guests 	<ul style="list-style-type: none"> B&Bs are currently limited to serving breakfast to paying guests
33	48	21A.08.040	<ul style="list-style-type: none"> Recreation 	<ul style="list-style-type: none"> Add passive recreational storage as a permitted use – limit structure to 200 sf and no motor vehicle or RV storage 	Code is currently silent on whether a freestanding structure for recreational storage is allowed on an otherwise vacant lot.
37	84	21A.08.100	<ul style="list-style-type: none"> Regional 	<ul style="list-style-type: none"> Rural public infrastructure maintenance facility may be located on a site less than 10 acres when separated from a county park by a street or utility right-of-way Non-hydroelectric generation facility is a permitted use in the A zone when accessory to a manure digester. 	<ul style="list-style-type: none"> Electrical generation is a common feature of manure digesters
AGRICULTURE					
21	37	New Section. Ch. 21A.06	Agricultural anaerobic digester definition	Process that converts animal manure and agricultural waste into methane for energy generation and other beneficial uses	Defines a use authorized as a resource permitted use
22	37	New Section. Ch. 21A.06	Farmers market definition	An assembly of vendors promoting the sale of Washington state agricultural products	Defines a use added to the retail permitted use table
35	73	21A.08.070	Retail Permitted Uses	<ul style="list-style-type: none"> Farmers markets are a permitted use in all zones, except mineral. Requires at least five farmers selling their own products and sales of agricultural products should exceed sales of non-agricultural products Agricultural product sales by a single vendor are a permitted use in urban residential and commercial/business zones 	<ul style="list-style-type: none"> Parking is required and sales area must be removed at night.
36	77	21A.08.090	Resource Permitted Uses	Agricultural anaerobic digesters must use at least 70 % livestock manure and may add other organic waste, including food processing waste	

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SCHOOLS					
28	39	21A.06.1035	Schools, elementary, and middle/junior high	Definition includes both public and private schools	
29	39	21A.06.1040	Schools, secondary or high school	Definition includes both public and private schools	
34	60	21A.08.050	General services permitted uses	<ul style="list-style-type: none">Clarify process for approval of new schoolsLimit driver training in industrial zones to state licensed driver education schools.	<ul style="list-style-type: none">New elementary schools are a permitted use in all zonesNew middle, secondary, and high schools are generally a conditional use in the RA zone. When reusing a public school, they are a permitted use.Expansions of schools are governed by the provisions in K.C.C. Ch. 21A.42 on expansion of uses
61	163	21A.42.140	Review process for high schools	Repealed	New high schools require a conditional use permit, making this additional procedure unnecessary.
SETBACKS					
38	90	21A.12.140	Regional utility corridor setbacks	Required parking or recreation space must be setback 100 feet from regional hazardous materials or gas pipelines.	Keeps hazardous areas free from uses where individuals might congregate
39	92	21A.12.170	Setbacks	Free-standing air conditioners and heat pumps are not allowed in the 5-foot interior setback adjacent to residential properties unless an agreement between the property owners authorizing the installation of equipment is recorded.	These appliances can generate considerable noise, disturbing adjacent residential property owners.
LANDSCAPING					
40	95	21A.16.300	Irrigation Water Use	Repealed	Water use standards are not needed. These requirements are an unnecessary burden applicants and generate paperwork that is not used by the county.
41	96	21A.16.310	Irrigation Water Use Budget Calculation	Repealed	
42	98	21A.16.320	Irrigation Water Use Budget Calculation	Repealed	
43	99	21A.16.330	Irrigation system design standards	Add requirement to include right-of-way use permit, identity of system maintainer, and location of shut-off valves	
44	101	21A.16.360	Irrigation schedules	Repealed	
PARKING					
45	101	21A.18.110	Off-street parking requirements	Off-street required parking is required to be on the same site as the proposed use.	Code currently requires off-street required parking to be on the same lot. This is overly restrictive. Parking must be located within a certain distance of the use.

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CRITICAL AREAS					
20	36	21A.06.072C	Aquatic area definition	Clarify definition to remove ambiguity when a natural water body has been altered.	Responds to an appeal claiming a lake that had its inlet and outlet modified was really a stormwater detention pond and not an aquatic area.
46	107	21A.24.045	Critical Area Allowed Alterations	<ul style="list-style-type: none"> Clarify standards for expansion of existing residential structures in a wetland or aquatic area buffer Hydroelectric facilities are an allowed alteration with conditions Fish farms are an allowed alteration 	<ul style="list-style-type: none"> Hydroelectric generating facilities are not currently allowed as either an allowed alteration or as an alteration exception.
47	138	21A.24.070	Critical area alterations exceptions	Include hydroelectric generating facilities as a linear alteration and allow them as an alteration exception if they do not qualify as an allowed alteration.	A hydroelectric generating facility may be approved as an alteration exception
COMMUNICATION FACILITIES					
24	38	21A.06.210	Major Communication Facility	Clarify definition by removing reference to UHF and VHF transmission in reference to television signals	Addresses changing technology
25	38	21A.06.215	Minor Communication Facility	Personal wireless services are included as a minor communication facility	Replaces reference to cellular radio.
27	39	New Section. Ch. 21A.06	Personal wireless service	Includes commercial mobile, unlicensed wireless, and common carrier wireless exchange services as defined under federal law	Used in definition of minor communication facility.
48	142	21A.26.020	Exempt communication facilities	Delete reference to minor communication facilities	K.C.C. Ch. 21A.26 combines regulation of major and minor communication facilities. These changes will move the minor communication facility regulations into a separate chapter to avoid confusion. No substantive changes are made to the regulations as they apply to either major or minor communication facilities.
49	143	21A.26.030	Standards applicable to communications facilities	Delete references to minor communication facility standards and replace with cross reference to new chapter	
50	144	21A.26.050	Communication facility setbacks	Delete references to minor communication facilities	
51	145	21A.26.140	Communication facility heights	Delete references to minor communication facilities	
52	146	21A.26.160	Communication facility heights	Delete reference to the UBC	
53	148	New Section	Recodification	Move minor communication facility sections into a new chapter in Title 21A	

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HOME OCCUPATIONS					
54	148	21A.30.080	Home Occupation in Urban and Commercial Zones	<ul style="list-style-type: none"> Clarify that limitation on area that may be used in the home occupation only applies to the dwelling unit. Add restrictions on activities that are allowed as a home occupation 	<ul style="list-style-type: none"> Resolves ambiguity in current code Prohibit activities that are likely to create impacts on neighboring residential properties
55	151	21A.30.085	Home Occupation in Rural and Resource zones	<ul style="list-style-type: none"> Clarify that limitation on area that may be used in the home occupation only applies to the dwelling unit Add restrictions on activities that are allowed as a home occupation 	<ul style="list-style-type: none"> Resolves ambiguity in current code Prohibit activities that are likely to create impacts on neighboring residential properties
56	154	21A.30.090	Home Industry	<ul style="list-style-type: none"> Clarify standards Allow up to six non-resident employees 	
57	155	New Section Chapter 21A.30	Home Occupation Agreement	Require agreement to comply with home occupation standards to be filed with the department	Will improve compliance with home occupation standards, provide information on number and types of home occupations, and improve ability of county to respond to inquiries concerning home occupations.
TEMPORARY USE PERMITS					
58	156	21A.32.120	Temporary use permit	Temporary use permit valid for 365 days instead of one calendar year.	Consistent with other time lines for TUPs
SPECIAL DISTRICT OVERLAY					
59	157	21A.38.100	Special District Overlays	Modify SDO in White Center to allow waiver of interior setback on an alley and allow landscaping around parking lot instead of along an alley	Existing provisions require a 10 ft building setback from an alley and require landscaping along the alley rather than around a parking lot adjacent to residential properties.
CIVIL PENALTY APPEALS					
64 65 66 67 68	167 169 169 170 170	23.24.030 23.24.070 New Sections – Ch. 23.32	Civil Penalty Appeals	Provide for an appeal of a civil penalty assessed after compliance with a notice and order	Recent Wash. Supreme Court Decision requires a hearing under these circumstances
FINANCIAL GUARANTEES					
69	171	27A.30.030	Performance guarantee bonds	Allow up to two performance guarantee bond reductions	
70	171	27A.40.070	Landscaping performance	Allow required landscaping to be installed within 3 months after temporary occupancy permit is issued	Avoids damage to landscaping planted prior to occupancy